IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11801 of 2004

Between:

Smt.P.Lakshmi Sakunthala, C/o.A.V.Ratna Reddy,
Phirangipuram, Guntur District.

..... PETITIONER

AND

1 The Managing Director, APSRTC, Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Guntur Region at Guntur.
3 The Depot Manager, APSRTC, Narsaraopet, Guntur Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring that the impugned Letter No.04/359(3)/99-RM(G)
dated 4-3-2004 issued by the 2nd respondent and consequential letter No.01/ 359(2)/1999-NRT dated 21-6-2004 issued by the 3rd respondent as arbitrary, illegal, violative of principles of natural justice and Articles 14 of the Constitution of India and consequently set aside the same.

Counsel for the Petitioner:SMT. A.GAYATHRI REDDY

Counsel for the Respondents 1 to 3:Mr. R.Manmadha Reddy, S.C. for APSRTC

The Court made the following :

O R D E R :

The petitioner questions the action of the respondents in stopping the replaced Vehicle bearing No. AP-7W-4566 belonging to her on the ground that she has not provided fitment of front air suspension to the said vehicle within one month from the date of fitment certificate.

It is fairly submitted by the learned counsel for the respondents that after filing of the counter, the respondents have taken a decision in Proceedings No. P9/259(135)/2003-OPD(PLG), dated 22.07.2004 stating that the issue relating to providing of front air suspension as standard fitment to latest hire Hitech bus (supplied as replacement) of Ashok Leyland make has been examined in detail. The Vice-chairman and Managing Director directed that there is no need to provide front air suspension to hire Hitech buses of Ashok Leyland make supplied as replacement. Accordingly, it was advised that there was no need to insist the owner of hire Hitech bus of Ashok Leyland make to provide front air suspension as standard fitment.

In view of the aforesaid decision of the respondents, the Writ Petition is allowed as prayed for. There shall be no order as to costs.

_____

V. ESWARAIAH, J

Dated:02-03-2005

ccm

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Wednesday, the

Second day of March, Two thousand and Five.

ASSISTANT REGISTRAR

To

1 The Managing Director, APSRTC, Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Guntur Region at Guntur.
3 The Depot Manager, APSRTC, Narsaraopet, Guntur Dist.

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In view of the aforesaid decision of the respondents, the Writ Petition has become infructuous. Accordingly, it is dismissed as infructuous. There shall be no order as to costs.

V. ESWARAIAH, J

Dated:02-03-2005

ccm

To

1 The Managing Director, APSRTC, Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Guntur Region at Guntur.
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